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2 LAW OFFICES OF MICHAEL JAY BERGER  
3 9454 Wilshire Boulevard, 6<sup>th</sup> Floor  
4 Beverly Hills, California 90212  
T: (310) 271.6223 |  
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E: Michael.Berger@bankruptcypower.com

5 Proposed Counsel for Debtor-in-Possession  
6 Mr. Tortilla, Inc.

7 UNITED STATES BANKRUPTCY COURT  
8 CENTRAL DISTRICT OF CALIFORNIA - SAN FERNANDO VALLEY DIVISION

9  
10 In re: ) CASE NO.: 1:24-BK-10228-VK  
11 Mr. Tortilla, Inc. ) Chapter 11  
12 Debtor-in-Possession. )  
13 ) DECLARATION OF YATHIDA  
14 ) NIPHA REGARDING SERVICE VIA  
15 ) EMAIL OF THE (1) NOTICE OF  
16 ) HEARING ON DEBTOR'S MOTION FOR  
17 ) AN ORDER AUTHORIZING DEBTOR  
18 ) TO SATISFY PRE-PETITION CLAIMS  
19 ) OF CRITICAL VENDOR AMAZON.COM  
20 ) SERVICES, LLC NECESSARY FOR  
21 ) DEBTOR'S CONTINUED BUSINESS  
22 ) OPERATION; (2) CRITICAL VENDOR  
23 ) MOTION; (3) ORDER GRANTING THE  
24 ) APPLICATION ON SHORTENED  
25 ) NOTICE; AND (4) SUPPLEMENTAL  
26 ) NOTICE RE ZOOMGOV FOR REMOTE  
27 ) APPEARANCES  
28 )

) Date March 7, 2024  
Time: 1:30 p.m.  
Ctrm: 301 [via ZoomGov and in-person]  
Place: 21041 Burbank Blvd., 3<sup>rd</sup> Floor  
Woodland Hills, CA 91367

**DECLARATION OF YATHIDA NIPHA**

I, Yathida Nipha, declare as follows:

1. I am currently employed by Law Offices of Michael Jay Berger as a  
2 paralegal. I am over the age of 18 and not a party to the within action. My business  
3 address is 9454 Wilshire Blvd., 6<sup>th</sup> Floor, Beverly Hills, California 90212. I have  
4 personal knowledge of the facts set forth herein and if called as a witness, I could and  
5 would competently testify to those facts in a court of law.

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2. On March 5, 2024, I gave telephonic notice of the hearing on Debtor's Motion  
for an Order Authorizing Debtor to Satisfy Pre-Petition Claims Of Critical Vendor Amazon.Com  
Services, LLC Necessary for Debtor's Continued Business Operation ("Critical Vendor  
Motion") to Ms. Bunker with the United States Trustee. At 2:30 p.m., I served via email (1)  
Debtor's Critical Vendor Motion, (2) Notice of Hearing on the Critical Vendor Motion, (3) Order  
Granting the Application on Shortened Notice, and (4) Supplemental Notice Regarding  
ZoomGov for Remote Appearances on the following parties:

U.S. Trustee:  
Katherine Bunker  
[kate.bunker@usdoj.gov](mailto:kate.bunker@usdoj.gov); [julie.morales@usdoj.gov](mailto:julie.morales@usdoj.gov)

SECURED CREDITORS:

8FIG Advance  
Attn: Legal Dept.  
[legal@8fig.com](mailto:legal@8fig.com); [jjohnson@padfieldstout.com](mailto:jjohnson@padfieldstout.com)

Amazon Capital Services:  
Attn: Lauren Dorsett & Michael Gearin  
[laurendorsett@dwt.com](mailto:laurendorsett@dwt.com)  
[mike.gearin@klgates.com](mailto:mike.gearin@klgates.com); [brandy.sargent@klgates.com](mailto:brandy.sargent@klgates.com); [litigation.docketing@klgates.com](mailto:litigation.docketing@klgates.com);  
[janna.leasy@klgates.com](mailto:janna.leasy@klgates.com)

Blue Bridge Financial

1 Attn: Amy Joy  
2 [ajoy@bluebridgefinancial.com](mailto:ajoy@bluebridgefinancial.com)  
3 Legal@bluebridgefinancial.com

4 Bluevine  
5 Attn: Officer  
6 [Support@bluevine.com](mailto:Support@bluevine.com)

7 Cedar Advance  
8 Attn: Simon Cedar  
9 simon@cedaradvance.com

10 Corporation Service Company  
11 [SPRFiling@cscglobal.com](mailto:SPRFiling@cscglobal.com); [UCCSPREP@cscglobal.com](mailto:UCCSPREP@cscglobal.com)

12 CT Corporation  
13 [uccfilingreturn@wolterskluwer.com](mailto:uccfilingreturn@wolterskluwer.com)

14 Fasanara Securitisation S.A. Acting  
15 [info@northdata.com](mailto:info@northdata.com)

16 Financial Pacific Leasing  
17 Attn: Allison Sweet  
18 [ASweet@FinPac.com](mailto:ASweet@FinPac.com)

19 First Corporate Resolution  
20 [SPRS@FICOSO.COM](mailto:SPRS@FICOSO.COM)

21 Huntington Valley Bank  
22 Attn: Erin  
23 [erin@braavobank.com](mailto:erin@braavobank.com)  
24 Mercury Capital  
25 [info@mcaadv.com](mailto:info@mcaadv.com)

26 Metropolitan Capital Bank & Trust  
27 Attn: Jeffrey Brown  
28 [rrabin@thompsoncoburn.com](mailto:rrabin@thompsoncoburn.com) ; [jbrown@thompsoncoburn.com](mailto:jbrown@thompsoncoburn.com)

29 Parkside Funding Group LLC  
30 Attn: Adriana Harris  
31 [Adriana@nomasrecovery.com](mailto:Adriana@nomasrecovery.com)

32 Partners Personnel Management Services, LLC  
33 Attn: Cherly Canty  
34 [CCanty@espererholdings.com](mailto:CCanty@espererholdings.com)

35 Robert Reiser and Company  
36 [uccfilingreturn@wolterskluwer.com](mailto:uccfilingreturn@wolterskluwer.com)

37 Sand Park Capital

1 Attn: Simon Cedar  
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2 Sellers Funding  
3 Attn: Officer  
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4 Shopify Capital  
5 [Legal@bluebridgefinancial.com](mailto:Legal@bluebridgefinancial.com)

6 Slope Advance  
7 Attn: Ashish Jain  
[ashish@slope.com](mailto:ashish@slope.com)

8 Spartan Capital  
9 Attn: Jason Gang  
[jason@jasongang.com](mailto:jason@jasongang.com)

10 Stor RB One Limited  
[uccfilingreturn@wolterskluwer.com](mailto:uccfilingreturn@wolterskluwer.com)

12 U.S. Business Administration  
13 Attn: Elan Levey  
[elan.levey@usdoj.gov](mailto:elan.levey@usdoj.gov)

14 20 LARGEST UNSECURED CREDITORS

16 Easy Post  
Attn: Dustin Henrie  
[dhenrie@easypost.com](mailto:dhenrie@easypost.com)

18 Facebook  
Attn: Anthony Miller  
[Anthony.Miller@radiusgs.com](mailto:Anthony.Miller@radiusgs.com)

20 Fleetcor Technologies Inc.  
21 Attn: Officer  
[PartnerServices@FleetCor.com; jowilliams@williamsandwilliams.com](mailto:PartnerServices@FleetCor.com; jowilliams@williamsandwilliams.com)

22 Greenberg Traurig  
23 Attn: Reid Hockaday  
[hockadayr@gtlaw.com](mailto:hockadayr@gtlaw.com)

25 IRS  
Attn: Officer  
[Irs.gov.website.helpdesk@speedymail.com; Dorletha.M.Godley@irs.gov](mailto:Irs.gov.website.helpdesk@speedymail.com; Dorletha.M.Godley@irs.gov)

27 Lyneer Staffing  
Attn: Billing Dept.

1 billing@lyneer.com

2 Parker Group Inc.  
3 Attn: Larry Nessenson, Esq.  
4 Inessenson@jaffeandasher.com

5 Ramp  
6 Attn: Officer  
7 communications@ramp.com; support@ramp.com

8 Jeeves  
9 alexg@tryjeeves.com; lucio@tryjeeves.com

10 Southern California Edison  
11 Anthony Tarantino  
12 Anthony.Tarantino@sce.com

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14 Attn: Mary Kay  
15 MaryKay.Pallas@iqor.com

16 We Pack it All  
17 jesse.fonseca@wepackitall.com

18 Rapid Fulfillment LLC  
19 Attn: Adam Brumage  
20 ABrumage@collectmoore.com

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22 billing@frisbi.com

23 Taboola  
24 Attn: Fred Sampliner  
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27 legal@mountain.com

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yoni@bakersauthority.com

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1           bankruptcy@attentivemobile.com

2           SoCal Gas  
3           customerservice@socalgas.com

4           Republic Services  
5           ccet@republicservices.com

6           ADDITIONAL CREDITORS:

7           ArcBest, Inc.  
8           dlott@arcb.com

9           Old Dominion Freight Line, Inc.  
10          Attn: Rusty Frazier  
11          Rusty.frazier@odfl.com

12          TikTok Inc.  
13          Attn: Emely Andino  
14          usbilling@bytedance.com

15          Pawnee Leasing Corp.  
16          Bankruptcy@pawneeleasing.com

17          KTLA/KTLA  
18          c/o The Law Offices of Gary A Bemis  
19          LegalService@bemislawoffices.com

20  
21  
22          I declare under penalty of perjury that the foregoing is true and correct. Executed  
23          this 5<sup>th</sup> day of March 2024, at Beverly Hills, California.

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28          By: \_\_\_\_\_  
29          Yathida Nipha

**Yathida Nipha**

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**Subject:** FW: Mr. Tortilla's Notice of Hearing on the Critical Vendors Motion 1:24-bk-10228-VK  
**Attachments:** Notice of Hearing on Critical Vendor Motion.pdf; Critical Vendor Motion.pdf; Order granting application for shortened notice signed.pdf; Supplemental Notice.pdf

**From:** Yathida Nipha

**Sent:** Tuesday, March 5, 2024 2:30 PM

**To:** 'kate.bunker@usdoj.gov' <kate.bunker@usdoj.gov>; 'julie.morales@usdoj.gov' <julie.morales@usdoj.gov>; 'legal@8fig.com' <legal@8fig.com>; 'laurendorsett@dwt.com' <laurendorsett@dwt.com>; 'mike.gearin@klgates.com' <mike.gearin@klgates.com>; 'ajoy@bluebridgefinancial.com' <ajoy@bluebridgefinancial.com>; 'Legal@bluebridgefinancial.com' <Legal@bluebridgefinancial.com>; 'Support@bluevine.com' <Support@bluevine.com>; 'simon@cedaradvance.com' <simon@cedaradvance.com>; 'SPRFiling@cscglobal.com' <SPRFiling@cscglobal.com>; 'SPRS@FICOSO.COM' <SPRS@FICOSO.COM>; 'UCCSPREP@cscglobal.com' <UCCSPREP@cscglobal.com>; 'uccfilingreturn@wolterskluwer.com' <uccfilingreturn@wolterskluwer.com>; 'ASweet@FinPac.com' <ASweet@FinPac.com>; 'erin@braavobank.com' <erin@braavobank.com>; 'info@mcadv.com' <info@mcadv.com>; 'rrabin@thompsoncoburn.com' <rrabin@thompsoncoburn.com>; 'jbrown@thompsoncoburn.com' <jbrown@thompsoncoburn.com>; 'Adriana@nomasrecovery.com' <Adriana@nomasrecovery.com>; 'CCanty@espererholdings.com' <CCanty@espererholdings.com>; 'osaro@sellersfi.com' <osaro@sellersfi.com>; 'legal@sellersFi.com' <legal@sellersFi.com>; 'ashish@slope.com' <ashish@slope.com>; 'jason@jasongang.com' <jason@jasongang.com>; 'elan.levey@usdoj.gov' <elan.levey@usdoj.gov>; 'dhenrie@easypost.com' <dhenrie@easypost.com>; 'PartnerServices@FleetCor.com' <PartnerServices@FleetCor.com>; 'jowilliams@williamsandwilliams.com' <jowilliams@williamsandwilliams.com>; 'hockadayr@gtlaw.com' <hockadayr@gtlaw.com>; 'Dorletha.M.Godley@irs.gov' <Dorletha.M.Godley@irs.gov>; 'billing@frisbi.com' <billing@frisbi.com>; 'billing@lyneer.com' <billing@lyneer.com>; 'billing@perpetua.io' <billing@perpetua.io>; 'Innesson@jaffeandasher.com' <Innesson@jaffeandasher.com>; 'communications@ramp.com' <communications@ramp.com>; 'support@ramp.com' <support@ramp.com>; 'alexg@tryjeeves.com' <alexg@tryjeeves.com>; 'lucio@tryjeeves.com' <lucio@tryjeeves.com>; 'Anthony Tarantino' <Anthony.Tarantino@sce.com>; 'MaryKay.Pallas@iqor.com' <MaryKay.Pallas@iqor.com>; 'jesse.fonseca@wepackitall.com' <jesse.fonseca@wepackitall.com>; 'ABrumage@collectmoore.com' <ABrumage@collectmoore.com>; 'fsampliner@sampliner.com' <fsampliner@sampliner.com>; 'nminassian@hatkofflaw.com' <nminassian@hatkofflaw.com>; 'legal@mountain.com' <legal@mountain.com>; 'accounts.receivable@uline.com' <accounts.receivable@uline.com>; 'yonibakersauthority.com' <yonibakersauthority.com>; 'gmccreadie@nixonpeabody.com' <gmccreadie@nixonpeabody.com>; 'customerservice@socalgas.com' <customerservice@socalgas.com>; 'ccet@publicservices.com' <ccet@publicservices.com>; 'dlott@arcb.com' <dlott@arcb.com>; 'Rusty.frazier@odfl.com' <Rusty.frazier@odfl.com>; 'usbilling@bytedance.com' <usbilling@bytedance.com>; 'Bankruptcy@pawneeleasing.com' <Bankruptcy@pawneeleasing.com>; 'LegalService@bemislawoffices.com' <LegalService@bemislawoffices.com>; 'jjohnson@padfieldstout.com' <jjohnson@padfieldstout.com>; 'brandy.sargent@klgates.com' <brandy.sargent@klgates.com>; 'janna.leasy@klgates.com' <janna.leasy@klgates.com>  
**Cc:** Sofya Davtyan <Sofya.Davtyan@bankruptcypower.com>; Michael Berger <Michael.Berger@bankruptcypower.com>  
**Subject:** Mr. Tortilla's Notice of Hearing on the Critical Vendors Motion 1:24-bk-10228-VK

**PLEASE TAKE NOTICE** that the hearing on Debtor's Motion for an Order Authorizing Debtor to Satisfy Pre-Petition Claims of Critical Vendor Amazon.Com Services, LLC Necessary for Debtor's Continued Business Operation will take place on **March 7, 2024 at 1:30 p.m.** in Courtroom 301 of the above-referenced Courthouse located at 21041 Burbank Blvd., 3<sup>rd</sup> Fl., Woodland Hills, California 91367. Attached hereto is the

Critical Vendors Motion, Notice of Hearing Supplemental Notice, and order granting the application on shortened notice.

**PLEASE TAKE FURTHER NOTICE** that any oppositions and replies may be made orally at the hearing.

**PLEASE TAKE FURTHER NOTICE** that the hearing will be held simultaneously in person in Courtroom 301 and remotely via ZoomGov:

**Join CACB ZoomGov**

Meeting Video/audio web address: <https://cacb.zoomgov.com/j/1608055403>

Meeting ID: 160 805 5403

Password: 464345

**Join by Telephone**

Telephone conference lines: 1-669-254-5252 OR 1-646-828-7666

Meeting ID: 160 805 5403

Password: 464345

*Thank you,*

*Yathida Nipha-Roshan  
Paralegal to Attorney Sofya Davtyan  
Law Offices of Michael Jay Berger  
9454 Wilshire Boulevard, 6th Floor  
Beverly Hills, CA 90212-2929  
Tel. (310) 271-6223  
Fax (310) 271-9805  
Website [www.bankruptcypower.com](http://www.bankruptcypower.com)*

*CONFIDENTIALITY NOTICE: The following message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by replying to the sender of this communication or by telephone at (310) 271-6223.*

## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:  
9454 Wilshire Blvd., 6<sup>th</sup> Fl., Beverly Hills, CA 90212

A true and correct copy of the foregoing document entitled (*specify*): **DECLARATION OF YATHIDA NIPHA REGARDING VIA EMAIL SERVICE OF THE (1) NOTICE OF HEARING ON DEBTOR'S MOTION FOR AN ORDER AUTHORIZING DEBTOR TO SATISFY PRE-PETITION CLAIMS OF CRITICAL VENDOR AMAZON.COM SERVICES, LLC NECESSARY FOR DEBTOR'S CONTINUED BUSINESS OPERATION; (2) CRITICAL VENDOR MOTION; AND (3) ORDER GRANTING THE APPLICATION ON SHORTENED NOTICE** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) 3/5/2024, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

**Proposed Counsel:** Michael Jay Berger michael.berger@bankruptcypower.com,  
yathida.nipha@bankruptcypower.com;michael.berger@ecf.inforuptcy.com

**U.S. Trustee:** Katherine Bunker kate.bunker@usdoj.gov

**Counsel for 8fig Inc.:** John E Johnson jjohnson@padfieldstout.com

**Interested Party:** Matthew D. Resnik Matt@rhmfirm.com,  
roksana@rhmfirm.com;rosario@rhmfirm.com;sloan@rhmfirm.com;priscilla@rhmfirm.com;rebecca@rhmfirm.com;david@rhmfirm.com;susie@rhmfirm.com;max@rhmfirm.com;russ@rhmfirm.com

**Counsel for Amazon.com:** Brandy A Sargent brandy.sargent@klgates.com,  
litigation.docketing@klgates.com;janna.leasy@klgates.com

**United States Trustee (SV)** ustpregion16.wh.ecf@usdoj.gov

Service information continued on attached page

**2. SERVED BY UNITED STATES MAIL:**

On (date) \_\_\_\_\_, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Service information continued on attached page

**3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served):** Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on 3/5/2024, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Honorable Victoria Kaufman  
United States Bankruptcy Court  
Central District of California  
21041 Burbank Boulevard, Suite 354 / Courtroom 301  
Woodland Hills, CA 91367 United States Bankruptcy Court

Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

3/5/2024

Peter Garza

/s/Peter Garza